

UNITED STATES DISTRICT COURT  
NORTHERN DISTRICT OF CALIFORNIA  
SAN JOSE DIVISION

RICHARD SUTHERLAND, as Assignee of	)	Case No.: 12-CV-05110-LHK
NIGEL ALLEN; RICHARD SUTHERLAND as	)	
assignee of FRED PILSTER; RICHARD	)	ORDER VACATING HEARING
SUTHERLAND, as assignee of SAL RUIZ;	)	
RICHARD SUTHERLAND, as assignee of	)	
JUDITH LAVENDAR and ANTHONY	)	
MALFATTI, Individually,	)	
	)	
Plaintiffs,	)	
v.	)	
	)	
THOMAS E. FRANCIS,	)	
	)	
Defendant.	)	

Pursuant to Civil Local Rule 7-1(b), the Court finds Defendant's Motion to Dismiss appropriate for resolution without oral argument. Accordingly, the hearing on this motion scheduled for February 13, 2014, at 1:30 p.m. is hereby VACATED. The Court will issue an order on the motion shortly.

**IT IS SO ORDERED.**

Dated: February 12, 2014

  
LUCY H. KOH  
United States District Judge